

REMARKS

In response to the Office Action, Applicant has:

- Amended claims 1, 8 – 10, 15, 16, 34 and 42;
- Cancelled pending claims 13, 17, and 35 – 41, 43 and 44; and
- Added new claims 45 - 50.

Claim 1 has been amended to incorporate, as subparagraph e., the subject matter of dependent claim 41. The Examiner has indicated that the subject matter of this claim is allowable. Original limitation e. has been deleted as unnecessary. Regardless of the merits of the current rejection of claim 1 (as amended in response to the Office Action of December 27, 2005), neither Kumakura et al. nor Freeman et al. disclose the limitation of claim 41. Accordingly, it is submitted that claim 1 is now in condition for allowance.

New claim 45, which depends from claim 1, incorporates the substance of subparagraph e. of claim 1 (as amended in response to the Office Action of December 27, 2005). Claims 8 – 10 have been amended to depend from claim 45. Claims 15 and 16 have been amended to depend from claim 8. Finally, claim 34 has been amended to depend from claim 45. As claim 1 (Currently Amended) is allowable, it is submitted that these claims are also allowable.

New claim 46 is a combination of claim 1 (limitations a. – c.) and claim 40. While the Examiner rejected this claim as unpatentable over Kumakura et al. in view of Freeman et al., no specific comment was directed to the limitation of "widening at least some of said pores to dimensions wide enough to permit the ingrowth of corneal tissue." It is submitted that such a limitation is not disclosed or suggested in either reference. Further, as both references are directed to contact lenses, they teach away from such a limitation. As a contact lens is designed to be removed on a periodic basis, one would not want to have a lens with pores large enough to permit the ingrowth of tissue. Such pores would hinder removal. Conversely, a corneal implant of the invention of claim 46 is not designed to be removed and, in use, could benefit from the ingrowth of tissue. Accordingly, it is submitted that claims 46 – 48 are allowable.

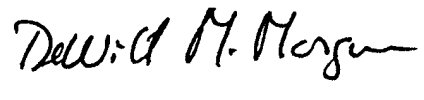
New claim 49 incorporates all limitations of claim 1 (as amended in response to the Office Action of December 27, 2005) and dependent claim 41 (as amended in response to the Office Action of December 27, 2005), and new claim 50 incorporates all limitations of dependent claim 42 (as amended in response to the Office Action of December 27, 2005), which the Examiner has indicated are allowable.

While claim 1 has been amended and other claims cancelled, Applicant is not abandoning the subject matter thereof as it is Applicant's intention to file a continuing application with regard to some or all of these claims.

In view of the foregoing it is submitted that this application is now in condition for allowance.

Respectfully submitted,

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Date: July 12, 2006